



Entered on Docket  
April 13, 2011

*Bruce T. Beesley*

Hon. Bruce T. Beesley  
United States Bankruptcy Judge

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US Bank Natl. Assoc., as Trustee for the Structured Asset Investment Loan Trust, 2005-7  
10-71919

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In Re:

John R. Byer

Debtor.

BK-S-09-17943- btb

MS Motion No. 46  
Date: April 5, 2011  
Time: 10:30 a.m.

Chapter 13

**ORDER RE: ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the  
 2 post-petition arrearages currently due as follows:

3	1 Monthly Payment at \$1,840.10	\$1,840.10
4	(November 1, 2010)	
5	4 Monthly Payments at \$1,844.53	\$7,378.12
6	(December 1, 2010 - March 1, 2011)	
7	4 Late Charges at \$76.57	\$306.28
8	(November 1, 2010 - February 1, 2011)	
9	Motion for Relief Filing Fee	\$150.00
10	Attorneys Fees	\$650.00
11	Suspense Amount	(\$528.92)
12	Total	\$9,795.58

13 The total arrearage shall be paid in six monthly installments. Payments one  
 14 through five (1-5) in the amount of \$1,632.60 shall be in addition to the regular monthly payment  
 15 and shall be due on or before the 20th day of the month commencing with the March 20, 2011  
 16 payment and continuing throughout and concluding on or before July 20, 2011. The sixth final  
 17 payment in the amount of \$1,632.58 shall be paid on or before August 20, 2011.

18 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall  
 19 resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy  
 20 Plan, beginning with the April 1, 2011 payment on Secured Creditor's Trust obligation,  
 21 encumbering the subject Property, generally described as 7415 Puritan Avenue , Las Vegas, NV  
 22 89123.

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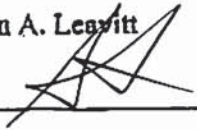
IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with enforcing its Security interest in the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.


Submitted by:

TIFFANY & BOSCO, P.A

By  #10235  
**GREGORY L. WILDE, ESQ.**  
 Attorneys for Secured Creditor  
 212 South Jones Boulevard  
 Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

Kathleen A. Leavitt  
 By  4/8/11  
 Kathleen A. Leavitt  
 Chapter 13 Trustee  
 201 Las Vegas Blvd. So., #200  
 Las Vegas, NV 89101

Sam Benevento  
 By   
 Sam Benevento  
 Attorney for Debtors  
 1945 E. Warm Springs Road  
 Las Vegas, NV 89119

Nevada Bar No. \_\_\_\_\_



1 ALTERNATIVE METHOD re: RULE 9021:

2 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately  
3 reflects the court's ruling and that (check one):

4 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

5 ☐ No party appeared at the hearing or filed an objection to the motion.

6 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and  
7 any trustee appointed in this case any unrepresented parties who appeared at the hearing,  
8 and each has approved or disapproved the order, or failed to respond, as indicated below.

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17  
18  
19 ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the  
20 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the  
21 order.

22 I declare under penalty and perjury that the foregoing is true and correct.

23 Submitted by:

24 /s/ Gregory L. Wilde, Esq.

25 Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor